

REMARKS

Claims 1-20 are believed to be patentable for the reasons as set forth in Applicant's previous amendment. The Examiners attention is drawn to the recent case *In re Kotzab*, 55 USPQ2d 1313 (Fed. Cir. 2000). It was held that:

Identification of prior art statements that in the abstract, appear to suggest claimed limitation does not establish prima facie case of obviousness without finding as to specific understanding or principle within knowledge of skilled artisan that would have motivated one with no knowledge of invention at issue to make combination in manner claimed.

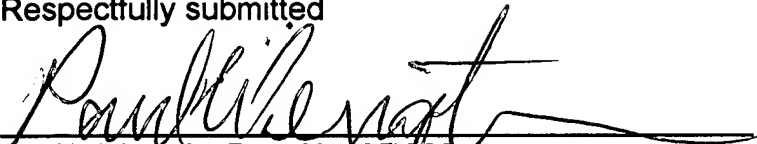
The antenna of Nagai would not motivate Rydbeck to change his pivotal approach in the absence of impermissible hindsight.

New claims 21 and 22 have been added to further define a preferred embodiment of the invention wherein the pivot axis of the radio telephone is arranged internally of the telephone.

Enclosed is a check for \$114.00 to cover the fee for additional claims. Please charge deposit account No. 16-1350 for any fee deficiencies.

For all the foregoing reasons, it is respectfully submitted that all of the claims are now present in the application are clearly novel and patentable over the prior art of record. Accordingly, allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' Attorney at the telephone number indicated below.

Respectfully submitted


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8/28/00
Date

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CERTIFICATE OF MAILING

I hereby certify that the attached correspondence is being deposited with the United States Postal Service as first class mail on the date shown below in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231.


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